

DAVID M.C. PETERSON
California State Bar No. 254498
FEDERAL DEFENDERS OF SAN DIEGO, INC.
225 Broadway, Suite 900
San Diego, California 92101-5008
Telephone: (619) 234-8467
E-mail: david_peterson@fd.org

Attorneys for Mr. Haynes

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE DANA M. SABRAW)

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES HAYNES, III,

Defendant.

Case No. 08cr0366-DMS

Date: Jul 11, 2008

Time: 1:30 p.m.

**NOTICE OF MOTIONS AND
MOTIONS TO:**

- (1) SUPPRESS 404(B) EVIDENCE BECAUSE
IT WAS UNCONSTITUTIONALLY
OBTAINED;**
- (2) RECONSIDER ITS DENIAL OF THE
MOTION TO SUPPRESS ALL EVIDENCE
BASED UPON NEW EVIDENCE;**
- (3) DIRECT THE GOVERNMENT TO FILE A
BILL OF PARTICULARS.**

TO: KAREN P. HEWITT, UNITED STATES ATTORNEY;
AARON CLARK, ASSISTANT UNITED STATES ATTORNEY;
DAVID LESHNER, ASSISTANT UNITED STATES ATTORNEY;

PLEASE TAKE NOTICE that on DATE at 11:00 a.m., or as soon thereafter as counsel may be heard, the accused, James Haynes, III, by and through his attorneys, David M.C. Peterson, Michelle Betancourt, and Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the motions outlined below.

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MOTIONS

The accused, Mr. Haynes, by and through his attorneys, David M.C. Peterson, Michelle Betancourt, and Federal Defenders of San Diego, Inc., pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law and local rules, hereby moves this Court for an order to:

- (1) Suppress Evidence Because It Was Unconstitutionally Obtained;
- (2) Reconsider Its Denial of the Motion to Suppress All Evidence Based Upon New Evidence;
- (3) Direct the Government to File a Bill of Particulars.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, and any and all other materials that may come to this Court's attention at or before the time of the hearing on these motions.

Respectfully submitted,

Dated: June 20, 2008

/s/ David M.C. Peterson
DAVID M.C. PETERSON
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Haynes
david_peterson@fd.org